

**HARGRAY COMMUNICATIONS, INC.**  
**P.O. Box 5519**  
**Hilton Head Island, South Carolina 29938**

November 29, 2005

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, D.C. 20554

**Re: Hargray Communications, Inc.**  
**WC Docket No. 05-196**  
**Compliance Letter**

Dear Ms. Dortch:

In June 2005, the Federal Communications Commission (“Commission”) released an order requiring interconnected Voice over Internet protocol (“VoIP”) providers to submit letters detailing their compliance with newly adopted enhanced 911 (“E911”) requirements.<sup>1</sup> On November 7, 2005, the Commission released a Public Notice specifying information which must be contained in the compliance letters.<sup>2</sup> Pursuant to this Public Notice, Hargray Communications, Inc. (the “Company”), an interconnected VoIP provider, hereby submits the following:

1. 911 Solution: The Company is able to provide 911 service in compliance with the all of the rules established in the *VoIP 911 Order* to 100 percent of its subscribers except for the requirement to obtain acknowledgments from all of its subscribers regarding limitations to the Company’s E911 service. As reported in the Company’s most recent Subscriber Acknowledgement Report filed this same day, the Company has received acknowledgements from 78 percent of its external active VoIP subscribers and commits to continuing to contact any subscribers that have not yet responded.<sup>3</sup> As stated in the report, the Company will notify the Commission once it has obtained acknowledgements from 100 percent of its external active VoIP subscribers.

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<sup>1</sup> *IP-Enabled Services and 911 Requirements for IP-Enabled Service Providers*, First Report and Order and Notice of Proposed Rulemaking, 20 FCC Rcd 10245, 10273, para. 50 (2005) (“*VoIP 911 Order*”). The compliance letters were due on November 28, 2005. The Company respectfully requests that the Commission accept this letter one day late.

<sup>2</sup> *See Enforcement Bureau Outlines Requirements of November 28, 2005 Interconnected Voice Over Internet Protocol 911 Compliance Letters*, WC Docket Nos. 04-36 & 05-196; DA 05-2945, Public Notice (rel. Nov 7, 2005) (“Public Notice”).

<sup>3</sup> *See* Hargray Communications, Inc., Subscriber Acknowledgement Report (November 28, 2005), WC Docket No. 05-196, filed on Nov. 29, 2005 (“Subscriber Acknowledgment Report”).

- a. 911 Routing Information/Connectivity to Wireline E911 Network: The Company utilizes the wireline network of its affiliated incumbent and competitive local exchange carriers (“LECs”) and the wireline network of BellSouth for the purpose of transmitting all 911 calls to the appropriate PSAP, designated statewide default answering point, or appropriate local emergency authority. The wireline networks include the Selective Router which queries the incumbent LEC-maintained Selective Router Database to determine which PSAP serves the caller’s geographic calling area, forwards the call to the PSAP that has been designated to serve the caller’s area, along with the caller’s phone number.<sup>4</sup>
  - b. Transmission of ANI and Registered Location Information: The Company is transmitting via the Wireline E911 Network the 911 caller’s ANI and Registered Location to all answering points that are capable of receiving and processing this information.
    - i. 100 percent of the answering points within the area where the Company is marketing its VoIP service are capable of receiving and processing ANI and Registered Location information that the Company transmits.
    - ii. 100 percent of the Company’s subscribers are those whose ANI and Registered Location are being transmitted to answering points that are capable of receiving and processing this information.
  - c. 911 Coverage: The Company has achieved full 911 compliance with the requirements of the *VoIP 911 Order* in all areas of the country where it markets VoIP service.
2. Obtaining Initial Registered Location Information: To ensure that the Company obtains each existing and each new subscriber’s Registered Location, the Company requires subscribers to provide the physical address where the device will be used on the application form and specifies in the associated “Terms of Service” that this physical address will be the one reported to the PSAP or local emergency service personnel designated to that physical address. The Company reports that it obtains the initial registered location information for 100 percent of its subscribers.
  3. Obtaining Updated Registered Location Information: In its “Terms of Service,” the Company warns subscribers that if the device is moved to another location, the physical address that was reported when the subscriber signed up for service will be provided to the PSAP or local emergency personnel rather than the new location. This warning was repeated to existing subscribers in the form of mailings in July and August 2005. The Company informs all subscribers at the time that they sign up for service that they are able to update the physical location information by contacting the Company’s customer service department. The Company does not charge for this service.

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<sup>4</sup> See *VoIP 911 Order* at para. 15.

4. Technical Solution for Nomadic Subscribers: The Company is not aware of any technical solution that it can affordably implement to ensure that subscribers have access to 911 service whenever they use their service nomadically.<sup>5</sup>
5. The Company continues to monitor technical developments and plans to implement a system to automatically notify the Company when a device is moved to a new location when and if such a systems becomes available at a reasonable price.

Please contact the undersigned with any questions.

Respectfully Submitted,

s/ Dewaine Wilson

Dewaine Wilson  
Controller

cc: Kathy Berthot, Deputy Chief, Spectrum Enforcement Division, Enforcement Bureau  
Janice Myles, Competition Policy Division, Wireline Competition Bureau  
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<sup>5</sup> See *VoIP E911 Order* at para. 46 (“We recognize that it currently is not always technologically feasible for providers of interconnected VoIP services to automatically determine the location of their end users without end users’ active cooperation”).